

**STATE OF SOUTH CAROLINA****(Caption of Case)****Petition to Establish Docket to Consider  
Implementing the Requirements of:****Section 1307 (State Consideration of  
Smart Grid) of the Energy  
Independence & Security Act of 2007****BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA****COVER SHEET****DOCKET****NUMBER: 2008 - 447 - E**

(Please type or print)

**Submitted by: Catherine E. Heigel****SC Bar Number: 9268****Address: 526 S. Church Street, EC03T****Telephone: 704-382-8123****Charlotte, NC 28202****Fax: 704-382-5690****Other: \_\_\_\_\_****Email: ceheigel@duke-energy.com**

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

**DOCKETING INFORMATION** (Check all that apply)☐ **Emergency Relief demanded in petition**      ☐ **Request for item to be placed on Commission's Agenda expeditiously**☐ **Other:** \_\_\_\_\_**INDUSTRY (Check one)****NATURE OF ACTION (Check all that apply)**☒ **Electric**☐ **Affidavit**☐ **Letter**☐ **Request**☐ **Electric/Gas**☐ **Agreement**☐ **Memorandum**☐ **Request for Certification**☐ **Electric/Telecommunications**☐ **Answer**☐ **Motion**☐ **Request for Investigation**☐ **Electric/Water**☐ **Appellate Review**☐ **Objection**☐ **Resale Agreement**☐ **Electric/Water/Telecom.**☐ **Application**☐ **Petition**☐ **Resale Amendment**☐ **Electric/Water/Sewer**☐ **Brief**☐ **Petition for Reconsideration**☐ **Reservation Letter**☐ **Gas**☐ **Certificate**☐ **Petition for Rulemaking**☐ **Response**☐ **Railroad**☐ **Comments**☐ **Petition for Rule to Show Cause**☐ **Response to Discovery**☐ **Sewer**☐ **Complaint**☒ **Petition to Intervene**☐ **Return to Petition**☐ **Telecommunications**☐ **Consent Order**☐ **Petition to Intervene Out of Time**☐ **Stipulation**☐ **Transportation**☐ **Discovery**☐ **Prefiled Testimony**☐ **Subpoena**☐ **Water**☐ **Exhibit**☐ **Promotion**☐ **Tariff**☐ **Water/Sewer**☐ **Expedited Consideration**☐ **Proposed Order**☐ **Other:**☐ **Administrative Matter**☐ **Interconnection Agreement**☐ **Protest**☐ **Other:**☐ **Interconnection Amendment**☐ **Publisher's Affidavit**☐ **Late-Filed Exhibit**☐ **Report**

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**  
**DOCKET NO. 2008-447-E**

**IN RE:**

Petition to Establish Docket to Consider  
Implementing the Requirements of:

Section 1307 (State Consideration of  
Smart Grid) of the Energy Independence  
& Security Act of 2007

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**PETITION TO INTERVENE**

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Duke Energy Carolinas, LLC ("Duke Energy Carolinas" or the "Company") hereby petitions the Public Service Commission of South Carolina ("the Commission"), pursuant to Regulation 103-836 and other applicable provisions of the Commission's Rules of Practice and Procedure, for permission to intervene in the above-captioned proceeding. In support of this petition, Duke Energy Carolinas would respectfully show as follows:

1. Duke Energy Carolinas is a corporation organized and existing under the laws of the State of North Carolina and is a public utility subject to the regulatory authority of the Commission pursuant to Title 58 of the Code of Laws of South Carolina. The address for the Company's headquarters is 526 S. Church Street, Charlotte, North Carolina 28202.

2. Duke Energy Carolinas' representatives in this proceeding are as follows:

Catherine E. Heigel, Esq.  
Associate General Counsel  
Duke Energy Carolinas, LLC  
526 S. Church Street, EC03T

Charlotte, North Carolina 28202  
Telephone: (704) 382-8123  
Fax: (704) 382-5690  
Email: [ceheigel@duke-energy.com](mailto:ceheigel@duke-energy.com)

Lawrence B. Somers, Esq.  
Associate General Counsel  
Duke Energy Carolinas, LLC  
526 S. Church Street, EC03T  
Charlotte, North Carolina 28202  
Telephone: (704) 382-8142  
Fax: (704) 382-5690  
Email: [lbsomers@duke-energy.com](mailto:lbsomers@duke-energy.com)

3. On December 11, 2008, the South Carolina Office of Regulatory Staff ("ORS") filed with the Commission a *Petition to Establish Docket to Consider Implementing the Requirements of Section 1307 (State Consideration of Smart Grid) of the Energy Independence & Security Act of 2007* ("ORS' Petition").

4. Thereafter, the Commission established Docket No. 2008-447-E styled a referenced hereinabove.

5. Duke Energy Carolinas is an electric utility that generates, transmits and distributes electricity in the state of South Carolina. Because the subject matter of ORS' Petition is directly related to the Company's electric operations, Duke Energy Carolinas has a substantial and material interest in the stated subject matter of the requested proceeding. Therefore, pursuant to Commission Regulation 103-836(A)(3), Duke Energy Carolinas should be permitted to intervene and participate fully in this docket and any hearing that may be scheduled in this matter.

6. The Company has not developed a position in this matter, but reserves the right to modify, amend or expand its position during the course of this proceeding.


7. The Company is informed and believes that granting its request is in the public interest, is consistent with the policies of the Commission in encouraging maximum public participation in issues before it, and should be allowed so that a full and complete record addressing Duke Energy Carolinas' views and concerns can be developed.

WHEREFORE, Duke Energy Carolinas requests that the Commission issue an Order:

- (a) Accepting this Petition to Intervene and making Duke Energy Carolinas a formal party of record to the proceeding;
- (b) Allowing Duke Energy Carolinas to present evidence in this proceeding, conduct cross-examination, and to take such positions as it deems advisable;
- (c) Providing that Duke Energy Carolinas be given copies of all filings, pleadings, testimony, and exhibits in this proceeding; and
- (d) Granting such other and further relief as is just and proper.

Respectfully submitted,

December 30, 2008

  
Catherine E. Heigel  
Associate General Counsel  
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Charlotte, North Carolina 28202  
Tel: 704.382.8123  
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ATTORNEY FOR DUKE ENERGY CAROLINAS

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**  
**DOCKET NO. 2008-447-E**

In the Matter of:

Petition to Establish Docket to Consider  
Implementing the Requirements of:

**CERTIFICATE OF SERVICE**

Section 1307 (State Consideration of  
Smart Grid) of the Energy  
Independence & Security Act of 2007

I, Catherine E. Heigel, hereby certify that Duke Energy Carolinas' Petition to Intervene in the above-referenced matter has been served on all parties of record either by hand delivery or by depositing said copy in the United States mail, postage prepaid, addressed as follows this the 30<sup>th</sup> day of December, 2008:


Nanette S. Edwards, Esq.  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, South Carolina 29201

Shannon Bowyer Hudson, Esq,  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, South Carolina 29201

Len S. Anthony, Esq.  
Progress Energy Carolinas, Inc.  
Progress Energy Service Company  
P.O. Box 1551, PEB 17A4  
Raleigh, North Carolina 27602

K. Chad Burgess, Esq.  
South Carolina Electric & Gas Company  
1426 Main Street, MC 130  
Columbia, South Carolina 29201

This the 30<sup>th</sup> day of December, 2008.

  
Catherine E. Heigel  
Associate General Counsel